



November 24, 2014

By ECF

The Honorable A. Kathleen Tomlinson
United States District Court for the
Eastern District of New York
100 Federal Plaza, Courtroom 910
P.O. Box 9014
Central Islip, NY 11722-9014

Re: *Perez v. Allstate*, No. 11 Civ. 1812

Dear Judge Tomlinson,

We are Class Counsel in the above-referenced matter. We write to respectfully request that the Court adjourn *sine die* the December 2, 2014 deadline for submission of a joint pre-trial order and the pre-trial conference currently scheduled for December 8, 2014. We believe that Defendant Allstate Corporation (“Allstate”) agrees that these deadlines should be postponed, but, because of ongoing disagreements between the Parties about the content and distribution of the Class Notice, does not join in this request.

On September 16, 2014, Judge Bianco granted Plaintiffs’ motion for class certification (the “Motion”). ECF No. 138. On November 14, 2014, after several requests by Plaintiffs, Allstate produced a class list to Class Counsel for purposes of issuing class notice.¹ Allstate recently informed Plaintiffs that it wishes to revise the Class Notice that Plaintiffs submitted as part of their Motion. Although Plaintiffs believe that the court-approved Class Notice is appropriate as written, we are willing to meet and confer with Allstate about its proposed changes, and are hopeful that the meet and confer process will not result in further delay. Assuming that Plaintiffs are able to issue notice promptly, Plaintiffs anticipate issuing notice to Class Members during the week of December 8, 2014. The 60-day notice period would therefore conclude in February 2015.

¹ Counsel for Allstate has informed Class Counsel that the class list omits a small subset of employees employed by a sub-entity within Allstate. Plaintiffs have requested that Allstate provide a time frame for production of contact information for these Class Members, but Allstate has been unable to provide one to date.

Hon. A. Kathleen Tomlinson

November 24, 2014

Page 2 of 2

In addition, Plaintiffs will shortly file a request for a pre-motion conference before Judge Bianco to initiate the process for their anticipated motion for summary judgment.

In light of the above, Plaintiffs respectfully submit that submission of a pre-trial order and scheduling of a pretrial conference is premature at this time. In the event the Court wishes to discuss the schedule further, we are available for a teleconference at the Court's convenience.

We thank the Court for its attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Juno Turner', with a stylized flourish extending to the right.

Juno Turner

cc: Robert S. Whitman (by ECF)
John Anthony (by ECF)
Justin M. Swartz
Ossai Miazad
Michael J. Scimone